ITS Mississippi Department of
Information Technology Services

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David C. Johnson, Executive Director

Notice of Intent to Certify Sole Source

To: Interested Parties

From: David C. Johnson

CC: ITS Project Number 47569

Date: February 7, 2023

Re: Sole Source Certification Number 4523 to provide TRIM software maintenance and technical support renewal for the Mississippi Department of Information Technology Services (ITS)

Contact Name: Alec Shedd

Contact Phone Number: 601-432-8162

Contact E-mail Address: Alec.Shedd@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4523 for the Mississippi Department of Information Technology Services (ITS), please be advised that ITS intends to award Treehouse Software, Inc., as the sole source provider of TRIM software maintenance and technical support renewal through March 17, 2025, in an amount not to exceed $16,200.00. If ITS opts to renew the TRIM software maintenance, this sole source certification shall be valid through March 16, 2026. Please be advised that ITS will determine if additional licenses, enhancements, upgrades, or support, are within scope during the certification period and may increase the spending authority accordingly. Should Treehouse Software, Inc. change their name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment B: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

    TRIM was implemented to monitor and report on ADABAS and Natural performance for the State Payroll and Human Resource System (SPAHRS) application running on the ITS legacy mainframe, as well as translate ADABAS security log files through a largely menu-driven interface. Any re-engineering of production systems would be costly to both ITS and Data Center customers. Since the majority of performance issues are raised with respect to a live production system rather than a system under development, a performance monitor that is able to function efficiently in a production environment is an essential component of effective performance

monitoring. TRIM has been an integral part of the ADABAS environment for multiple decades, and the proprietary technical support and software maintenance for it are needed while SPAHRS remains active.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

   The TRIM software is integrated into the State Data Center's production process to facilitate usage data collection, performance monitoring, and security reporting for Natural applications using the ADABAS database. In additional to providing real-time performance metrics, TRIM also includes the ability to track down and address performance issues. Ease-of-use and the proprietary technical support for TRIM have placed the software as an industry standard in performance monitoring.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

   Treehouse Software, Inc. is the sole source provider of TRIM, and is the only company that is able to provide technical support. The Vendor's sole source certification letter is included as Attachment A.

Schedule

Task	Date
First Advertisement Date	02/07/2023
Second Advertisement Date	02/14/23
Response Deadline From Objectors	02/22/23 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 02/23/23

Project Details

The Treehouse TRIM software was acquired by ITS in the late 1980s through a competitive RFP procurement. After the Treehouse TRIM product was acquired, it was implemented to monitor ADABAS and Natural. In February 2015, ITS certified the Treehouse TRIM software as sole source. In March 2020, ITS issued Notice of Intent to Certify Sole Source Number 4289 to provide TRIM software maintenance through March 16, 2023 and received no objections. The total spend to date is $179,779.74.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the TRIM software maintenance and technical support renewal should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Treehouse Software, Inc.

   1.1   Interested Party Information

       1.1.1   Contact Name, Phone Number and email address

       1.1.2   Company Website URL, if applicable

   1.2   Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Wednesday, February 22, 2023, at 3:00 p.m. (Central Time) to Alec Shedd at Alec.Shedd@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Alec Shedd to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

> **SUBMITTED IN RESPONSE TO**
> **Sole Source Certification No. 4523-47569**
> **Accepted until February 22, 2023 @ 3:00 p.m.,**
> **ATTENTION: Alec Shedd**

If you have any questions concerning the information above or if we can be of further assistance, please contact Alec Shedd at 601-432-8162 or via email at Alec.Shedd@its.ms.gov.

Attachment A: Vendor Correspondence
Attachment B: Sole Source Procurement Overview

Attachment A

![Treehouse Software logo]

2605 Nicholson Road, Suite 1230
Sewickley, PA 15143

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February 1, 2023

Sole Source Provider
TRIM

Treehouse Software, Inc. (TSI) is the sole source provider of TRIM, and is the only company that is able to provide technical support. TRIM is an ADABAS and Natural performance monitor.

Mitch Doricich

Mitch Doricich
National Sales Manager
Phone: 724-759-7070 x109
Email: mdoricich@treehouse.com

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1.   The product or services being purchased must perform a function for which no other product or source of services exists,

2.   The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND

3.   The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment A.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1.   An explanation about why the amount to be expended is reasonable, and

2.   An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of $5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over $5,000 but not over $50,000 (not over $25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than $5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to $250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification

above $5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above $250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.